

IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION

**DAVID EARL HUNTER, #0946-16,**

Plaintiff,

v.

**PATRICK WILSON and  
ENNIS POLICE DEPARTMENT,**

Defendants.

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Civil Action No. **3:16-CV-1289-L**

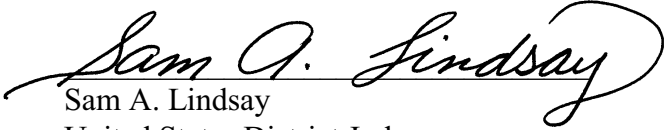
**ORDER**

On September 16, 2016, Magistrate Judge David L. Horan entered the Findings, Conclusions and Recommendation of the United States Magistrate Judge (“Report”), recommending that the court dismiss with prejudice Plaintiff’s claims against the named defendants, allow Plaintiff to amend his complaint to add a John Doe defendant, and recommit the action to the magistrate judge for further screening. No objections to the Report were filed.

Having reviewed the pleadings, file, record in this case, and Report, the court determines that the findings and conclusions of the magistrate judge are correct, and **accepts** them as those of the court. Accordingly, the court **dismisses with prejudice** Plaintiff’s claims against Defendants Patrick Wilson and the Ennis Police Department; allows Plaintiff to file an amended complaint, which must be filed by **November 13, 2017**, to add a John Doe defendant; and **recommits** this case to the magistrate judge for further screening. Failure of Plaintiff to file comply with this order will result in dismissal without prejudice of this action pursuant to Federal Rule of Civil Procedure 41(b) for failure to prosecute or comply with a court order. Further, the court expressly determines, pursuant

to Federal Rule of Civil Procedure 54(b), that there is no just reason to delay the entry of final judgment in this case as to Defendants Patrick Wilson and the Ennis Police Department and **directs** the clerk of the court to enter a final judgment as to them.

**It is so ordered** this 11th day of October, 2017.

  
Sam A. Lindsay  
United States District Judge